

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

CHAPTER 7

ONEKA S. WASHINGTON

CASE NO. 20-01611-JAW

**TRUSTEE'S LIMITED OBJECTION TO APPLICATION FOR
ALLOWANCE OF COMPENSATION AND REIMBURSEMENT
OF NECESSARY EXPENSES OF SPECIAL COUNSEL**

COMES NOW, Eileen N. Shaffer, Trustee, ("Trustee") and files this her Limited Objection to the Application for Allowance of Compensation and Reimbursement of Necessary Expenses of Special Counsel [Dkt. #45], and would show unto the Court as follows, to-wit:

1. That on September 14, 2021, this Court entered an Order approving the Application to Employ The Driscoll Firm, LLC, The Dricoll Firm, PC, The Cardoza Law Corporation and Aylstock Witkin Kreis and Overholtz, PLLC as special counsel [Dkt. #30].
2. That pursuant to that Order, the total sum of the attorneys' fees and expenses were not to exceed fifty percent (50%) of the total amount of the settlement.
3. That on September 26, 2023, this Court entered an Order approving the debtor's product liability claim that resulted in a personal, physical injury for the total amount of \$50,000.00 [Dkt. #43].
4. That the application for compensation filed on behalf of special counsel requests that it receive \$22,500.00 for attorney's fees and \$5,031.30 for settlement administration deductions and expenses, totaling a request of \$27,531.30 which exceeds the fifty percent (50%) of the recovery.
5. That the Trustee does not object to special counsel receiving a total of \$25,000.00 as an administrative claim for attorney's fees and expenses incurred in this matter.

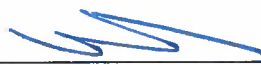
6. That as the debtor has previously received a distribution of the settlement funds in the amount of \$22,248.70 without court approval, the Trustee does not object to the remaining balance of Driscoll's application being allowed as "surplus funds" to be paid to The Driscoll Firm, LLC through the Trustee's Final Report and after all other claims are paid in full, plus interest.

WHEREFORE, PREMISES CONSIDERED, Eileen N. Shaffer, Trustee, requests that this Court enter an Order:

- Allowing The Driscoll Firm, LLC to receive a total of \$25,000.00 as an administrative claim for attorney's fees and expenses;
- Allowing The Driscoll Firm, LLC to receive all "surplus funds" remaining after all claims, plus interest, have been paid through the Trustee's Final Report; and
- For such other relief as is deemed just.

Respectfully submitted,
CHAPTER 7 TRUSTEE

By:



EILEEN N. SHAFFER
Attorney for Trustee

EILEEN N. SHAFFER, MSB #1687
Post Office Box 1177
Jackson, Mississippi 39215-1177
(601) 969-3006
eshaffer@eshaffer-law.com

CERTIFICATE OF SERVICE

I, Eileen N. Shaffer, Attorney for Trustee, do hereby certify that I have this date served via electronic transmission through CM/ECF Noticing, a true and correct copy of the above and foregoing *Trustee's Limited Objection to Application for Allowance of Compensation and Reimbursement of Necessary Expenses of Special Counsel* to the following on the day and year hereinafter set forth:

Thomas Carl Rollins, Esq.
Attorney for The Driscoll Firm, LLC
trollins@therollinsfirm.com

United States Trustee
USTPRegion05.JA.ECF@usdoj.gov

SO CERTIFIED, this the 10th day of November, 2023.



EILEEN N. SHAFFER